

L A W.

SUPREME COURT.—FRIDAY.

IN INSOLVENCY.

BEFORE MR. JUSTICE MILFORD.—IN THE MATTER OF THE APPLICATION OF WILLIAM GIBBS.

His Honor gave judgment in this case as follows:—

This was an application to make the role granted in this matter, for the sequestration of the estate in William Gibbs absolute; it was moved by Mr. Milford, on the 11th of last month, on behalf of John Booth, the petitioning creditor, and opposed by Mr. Wicks, on behalf of the insolvent. The question was, whether the insolvent's present estate was liable to sequestration—he having had his estate sequestrated in 1848, and never having obtained a certificate.

Mr. Wicks relied on the difference between our Insolvent Acts and the English Bankrupt Act, and argued that the grounds of the English decisions, namely, that the whole estate of the insolvent was vested in the official assignee under the former insolvency, did not apply here.

Mr. Milford relied on the difference between our Insolvent Acts and the English Bankrupt Act, and argued that the grounds of the English decisions, namely, that the whole estate of the insolvent was vested in the official assignee under the former insolvency, did not apply here.

Mr. Booth looked into the decisions on the English Bankrupt Act, and we considered our Insolvent Act, and found that, although a fact on one commission may void at law, a person applying for one has a right to it if he takes the steps required by law; that it is not a matter of discretion with the Chancellor; and, further, that if there should be two commissions, he will be holder of the Great Seal and exercising equitable jurisdiction, supersede that which is the less advantageous to the assignee, without advertising to the second, being void at law.

The reason why a court of law or equity would, whilst the two are existing together, treat the second as void, is because the whole of the insolvent's property, present and future, is vested in the assignee under the first, which had been voided before the second, being void at law.

The reason appears to be the state of the law under the English Bankrupt Acts. I will now consider our Insolvent Act.

By the 3rd section, any person, upon satisfying the Judge that he is insolvent and desirous of surrendering his estate for the benefit of his creditors, is of right entitled to have it placed under sequestration. The Judge has no discretion, except to ascertain whether the application is in order and decent, and to determine that such is the case, when the order must be made. The Act imposes a duty on the Judge.

Here, again, there appears to be no discretion in the Judge, as the matters required being done, and proved to be done, he must make the order.

By the 24th section a summons is to be taken out and served on the alleged insolvent, requiring him to show cause why his estate should not be adjudged to be sequestrated. By the 26th, on the day appointed for showing cause the Court is to receive proof of the matters alleged, and, if determined, that the estate should be adjudged to be sequestrated, the order must be made. The Act is to supersede the order for sequestration, or to require further proof of the matters therein contained.

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There is no discretion in the Court, and the matters to be proved are no more than the act of insolvency, the debt, and the service of the summons. It is nowhere required that the parties to the action should prove that the insolvent has no estate, nor has it ever been done,—the existence of some estate has always been presumed; but the present question is, whether that presumption can be rebutted, whether Gibbs can show that he has no estate, and, if he can, whether the former sequestration is of proof of it. There can be no doubt but that the Court could be bound to act if, the estate were ever so small, and, in case of any estate in its name, and the legislature had not the 80th section of the Act, certainly contemplated the possibility of the insolvent possessing property, notwithstanding the estate may be under sequestration.

It gives him, with the consent of a proportion of his creditors, his household furniture, which may be, and, in some instances, in this Court, has been allowed to a value of several hundred pounds. This is property subject to a second sequestration.

It cannot be said that the insolvent before he obtains his certificate can have no estate, no property; and if he has, or may have, any, the petitioning creditor, proving what is required, is entitled to have the order made absolute.

A difficulty was suggested as to the dealing with the property taken possession of by the assignee under a second insolvency, as it may be, and probably is, the property of the assignee under a first insolvency. The difficulty may be removed by serving all proceedings under the second insolvency, on the official assignee under the first. Indeed, the official assignee under the second could stand in a better position with regard to the official assignee under the first than the insolvent, as he could not convey a better title than the first insolvency.

The duty of the second official assignee in most cases would be confined almost to this, for he could not take possession of any of the property of the insolvent, except such as is in his possession, by virtue of the order of the first insolvency.

At present I am not at present aware of any property so situated, except the wearing apparel of the insolvent and his family, his bed and bedding, and tools of trade and household furniture.

A case was cited by Mr. Milford—that John Terry Hughes in 1851—in which a second compulsory sequestration issued, the insolvent not having obtained a certificate under the first insolvency, but which at the present question was then discussed, but the order was not made absolute, though opposed. The estate, however, was not in all probability situated as the estate is in the present case. If it were, and if the question now argued had been then argued, I should have felt myself bound by the decision, but that not appearing to be the case, I have no doubt on principle, that the order could not be made absolute.

I am not prepared to decide this case definitely at present. John William Gibbs became insolvent in 1848; at the third meeting of his creditors he made an offer of composition, which was accepted subject to confirmation at a special meeting to be called for that purpose. At that meeting the offer was rejected, and so no permission whatever was given for the insolvent to retain his wearing apparel of trade or furniture, except as the same were in the official assignee.

In the year 1858 it would seem that the remaining assets, i.e., all the property which could be available for the payment of the creditors who could prove under the sequestration became lawfully vested in Colonel Gibbs and Mr. Thompson, they paying the creditors, who were to be paid out of the assets received, and the amount due to the insolvent, less the amount paid to the creditors, and the assets received, and at the time of the insolvency, a sum of £1000, in the pound, less than this assignment would operate so far as the 15th section of the 7th Victoria, No. 19, entitles, i.e., on property which the insolvent himself had, or which he was by law entitled to, or able to convey immediately before the sequestration. Does this, then, include the property not vested in the insolvent, or to which he had not been entitled at the time of the insolvency? If the official assignee could not convey or otherwise bind future property not the subject of conveyance, the insolvent may now have such property, and the rule ought to be made absolute.

Again, although any estate or chattel sold by the assignee would be vested in the assignee, quite independent of any right of the insolvent to the surplus of his estate, the payment of his debts, yet would the rule apply to the sweeping sale of all the assets, as would the purchaser only take the assets subject to the rights of the insolvent? Could such a sale shut out this right of the insolvent?

Upon satisfaction of his creditors would he be

entitled to the surplus in the hands of the purchasers? If so, are not these creditors satisfied; and unless the purchasers can be held to have a right to stand in their place, are not the purchasers trustees for Mr. William Gibbs? There do not appear to have been any arguments on these debts; are they not extinguished in the same way that the debt is held to be extinguished when paid? If the debts exist, would not the purchasers of the assets be entitled to stand in the place of the creditors, on the supposition that the assignment does not shut out the right of the insolvent to the surplus?

I have not such a right, does the whole of the present estate of the insolvent vest in the assignee as an official assignee, or can the Court look to the possibility of a surplus, in order to show that the insolvent has some estate?

I am, however, prepared to decide this, that if it be not shown that there is no estate belonging to the insolvent, the sequestration must be made absolute; but if there be no estate belonging to him, it would be a mere nullity, liable to be declared void the next moment without any power in this Court, as it would be a mere nullity, liable to be declared void the next moment without any power in this Court, as the Lord Chancellor has over a second commission of bankruptcy, to keep it on foot.

I am not in a situation for want of evidence to arrive at a satisfactory conclusion as to these matters, the rule have been argued before me. I will enlarge the rule for a week, with liberty to produce further evidence.

CERTIFICATE.

The certificates of discharge granted by the Chief Commissioner to James Beavon, Charles Beavon, and Charles Henry Manton, were confirmed by the Court.

PLANS OF DISTRIBUTION.

Plans of distribution were confirmed in the following estates, namely:—

In the estate of James McGrath, showing a first dividend of £18, 11s.; in the pound, confirmed upon the motion of the Chief Commissioner.

In the estate of William Scurr, showing a first dividend of £7, 9d.; in the pound, confirmed upon the motion of Mr. Wicks.

In the estate of Edward Goodwin, showing a first dividend of £1, 1s.; in the pound, also confirmed upon the motion of Mr. Windley.

INSOLVENCY COURT.

FRIDAY.

Before the Chief Commissioner of Insolvent Estates, in the estate of William Alexander Selby, a special meeting was held and two debts were proved.

MONDAY, APRIL 4.—William Thompson, special for proof of debts, half-past 10. Thomas and Michael Lawless, adjourned certificate, 11.

TUESDAY, APRIL 5.—Samuel Barr, adjourned single for examination, 11. William Dunlop, Frederick Barnes, James Davis certificates, 12. John Melly, adjourned certificate, 11.

WEDNESDAY, APRIL 6.—John and Connell, adjourned special for proof of debts, half-past 10. John Newmann, adjourned examination, 11. John Lister, half-past 11. George W. Brown, special for proof of debts, 12. Isaac Davis, adjourned single, 12. At *Moistland*: Bernard Keough, second, 11.

Thursday, April 7.—Smith and Pattison, special, for examination, 11. John Burns, adjourned single, half-past 2.

LIST OF ESTATES SEQUESTRATED FROM 1ST JANUARY TO 31ST MARCH, 1859.

Estimated Debtor's Estimated Debtor's

£. d. £. d.

January

2. William Marshall, *Pymont*, brewer, 23 19 3 15 13 0

3. Thomas Green, *Tarrawall*, builder (and son) 11 2 6 0

4. William Arrowsmith, *Dungog*, mill-wright, 227 15 0 89 0

5. Ralph Pitt, *Liverpool Road*, labourer 83 8 0 11 16 0

6. James Taylor, *Sydney*, carpenter 154 17 6 20 12 0

7. Joseph Hart, *Sydney*, mason 193 11 0 10 0

8. William Penman, *Sydney*, carpenter 65 9 0 20 0

9. John James Crege, *Cambridge*, town, policeman 455 12 10 131 11 0

10. Isaac Davis, *Sydney*, fruiterer 63 11 6 25 0

11. John Chapman, *Farmatta*, carpenter 100 13 0 6 0

12. Charles Gooch, *Sydney*, writing clerk (computer) 4 4 8

13. Richard Ramsay and John James Burns, *Sydney*, contractors 312 17 4 185 12 0

14. Robert Hall, *Bentley*, drayman 100 3 0 24 1 0

15. Thomas Marshall, *Sydney*, labourer 370 12 6 136 0

16. Thomas Marshall, *Morpeth*, labourer 661 10 10 43 0

17. James Hart, *Sydney*, labourer 288 0 0 270 0 0

18. Christopher Roberts, *Bathurst*, commission agent 616 12 0 563 11 0

19. Robert Williams Goldring (trustee) of, *Sydney*, m'r, m'r 370 0 0 280 0 0

20. Edward Johnson, *Sydney*, commission agent 678 12 9 59 10 0

21. William Houston, *Bentley*, mill-wright, 478 6 2 446 0 0

22. Daniel Phillips, *Willesden*, m'r, m'r 898 10 10 417 0

23. Richard Hart, *Sydney*, m'r, m'r 379 16 10 90 0

24. Richard Hart, *Sydney*, m'r, m'r 667 7 1 96 14 10

25. Edwin Hartland, *Sydney*, John William Boden, *Sydney*, labourer 212 17 4 185 8 0

26. John William Boden, *Sydney*, labourer 646 7 3 201 0

27. John Hartland, *Sydney*, labourer 646 17 3 201 0

28. William Brown, *Sydney*, labourer 360 2 2 139 0

29. Humphrey Jones, *Sydney*, labourer 1600 18 2 210 0

30. George Hartland, *Sydney*, labourer 358 10 6 13 0

31. John Burns, *Wollongong*, far-
mer, 149 4 4 83 10

32. Charles Hartland, *Sydney*, labourer 45 7 6 8 0

33. Christopher Hartland, *Sydney*, labourer 1780 0 0 1700 0 0

34. Owen Williams, *Sydney*, M.D. 937 15 6 370 11 0

Surplus £1000.

CENTRAL POLICE COURT.

FRIDAY.

BURRWOOD MR. FORBES, Mr. THORNTON, Mr. E. S. HILL, Mr. G. M. CULLEN, Mr. NEALE, Mr. LUCAS, Mr. T. D. EGAN, and Mr. LYONS.

Fourteen persons were convicted of having been drunk and made use of obscene language, were each sentenced to pay 10s., or to be imprisoned twenty-four hours.

Mary Francis and James Smith, convicted of having been drunk and made use of obscene language, were each sentenced to pay 10s., or to be imprisoned twenty-four hours.

James Shaw, for having made use of language calculated to lead to a breach of the peace, was ordered to pay 10s., or to be imprisoned twenty-four hours.

John Johnson, charged with having deserted from the H.M. 77th regiment, was remanded to the military authorities to be dealt with.

Several publicans were fined for breaches of the Licensing Act. Thomas Pendergast, for keeping open his house for the sale of liquors on Sunday, was sentenced to pay 40s. penalty and £s. 6d. costs; Samuel Twiss pleaded guilty to a similar charge, and was sentenced to pay 10s. penalty and £s. 6d. costs; George Wright, for permitting music and dancing in his house without having obtained written permission as required by law, was fined 10s., with £s. 6d. costs; and Joseph Wakely, for acting during prohibited hours, was ordered to pay 10s. penalty with £s. 6d. costs.

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Mary Riley appeared on summons to answer an information under the Vagrant Act, for having in a public place made use of obscene language, and on conviction was sentenced to pay 40s. penalty with £s. 6d. costs, or to be imprisoned one week; and Ann Keeford, for having made use of language calculated to lead to a breach of the peace, was fined 20s. and costs, with the alternative of three days' imprisonment.

John Crowley was fined 10s. and costs for having obstructed, by placing goods upon the footway of King-street.

THE ESCORTS.

Two Western, Southern, and Northern escorts have arrived during the week from the gold-fields, and delivered at the Sydney Branch of the Royal Mint, the following quantities of gold-dust.

Western: From S. Wales, 619 ozs. 8 dwt. 5 grs.; Bathurst, 156 ozs. 14 dwt. 4 grs.; Louis Creek, 921 ozs. 8 dwt. 2 grs.; Tumbarumba, 128 ozs. 14 dwt. 4 grs.; Broken Hill, 200 ozs. 1 dwt. 14 grs.

Southern: From Goulburn, 487 ozs. 17

did he (Mr. Arnold) ; but he denied that there was anything in the evidence, the report, or in public opinion—even in the district where Dr. Harris was known as a magistrate—to justify the conclusion that he acted corruptly. They were told in general terms that he sat in his own case. But was it not rather a technical straining of the expression to call it sitting in his own case? Dr. Harris bought a horse (at public sale) from Caplin. That horse was claimed by Inder. Dr. Harris, however, bought the horse absolutely (He was supposing the case of the agency made out), and the same law which would enable Inder to recover against Harris, would enable Harris to recover against Caplin, if it had been determined that the horse belonged to Inder. The statute which provided for cases of this kind enabled them to trace the transaction to the last case which was contestable, and the only question of loss in a case of that kind must be from the inability of the person to find the money or an inability to find the person. In this case, however, no such difficulty occurred. Supposing that in the case where Inder sued Harris for the recovery of the horse, Harris had sat in his own case with Brown, and adjudicated in the opposite way; supposing he had awarded the horse to Inder, would Harris have been the loser? No, he would not have lost a penny; he would have gone to Caplin and got the money. But supposing it made out that Dr. Harris did sit in his own case. What was the interest of Harris in adjudicating that the horse belonged to Caplin? Not the value of the horse, but the difference of the price he paid to Caplin, and the value of the horse two or three days after he had purchased it. Then arose the question what would the amount of that difference be? (Hear, hear.) Hon. members opposite said, "Hear, hear." He was perfectly aware of the course which would be taken in answer to this question. They would point out some evidence where some one valued the horse at £10. Dr. Harris bought it for £23, and somebody said it was worth £40. But there was other evidence which seemed to him to be much more borne out by the facts of the case. Had they any more reason to believe that the horse was worth more than he fetched, than that this man, who was habitually dealing in horses, and who was no fool, had obtained its full value when he sold it for £23?

Mr. HAY: Doubtful title.

Mr. ARNOLD: That was what he called throwing the *cautionary* into the scales, but he did not mean the scales of justice.

He had a right to exercise his double power and acquire a case in this case alone. Hon. members who had been in the habit of sitting on the Bench also knew how depositions were signed—a number of them were frequently handed up together by the clerk for signature, and it must be recollect that Dr. Harris had adjudicated in several cases that morning. A magistrate might sign a deposition inadvertently, and if he did so, no doubt he would commit a great impropriety, but he could not see any grounds for supporting the resolutions which the hon. member had introduced. It was expected that the conduct of the Executive should be somewhat in accordance with the policy of the law; and although the law provided a remedy against acts of injustice or the corrupt administration of the law, the Executive ought to act upon the same principle, and could hardly be too careful in making gentlemen feel, when they accepted the office of magistrate, that it might be the means of degradation and humiliation to them. He thought that magistrates who performed their duty fairly and honestly, if they did overstep the correct mode of conducting business, were entitled to very great consideration. An hon. gentleman—whom he did not now see in the House, and who had considered it consistent with his duty to absent himself for several weeks from this House and to come down apparently for the sole purpose of venting his personal, or perhaps political, spleen against those with whom he had been till recently connected—had delivered a speech on this question which he intended, no doubt, to produce an effect out of doors, to destroy the confidence which the country should have—but which he (Mr. Arnold) thought the country still had—in the administration of the departments under the present Executive. That hon. gentleman said that he had gained nothing by responsible government, that it would be better to return to the old state of things, and that the people would show at the next election that they had no confidence in the Executive. He thought the hon. gentleman mistaken, and that all the violent denunciations he had uttered against the Ministry were mere sound and fury, the effects of which would be confined to the atmosphere of this chamber. It had created rather a feeling of disgust out of doors, and the action which he had paraded as a sacrifice on the altar of justice had been offered on the altar of political and, possibly, of personal rancour.

Mr. ARNOLD: That was what he called throwing dust in the eyes of the House. There could have been no doubt about the title. The law enabled Harris to recover from Caplin, and Dr. Harris, having been deprived of the horse, immediately applied to Caplin, and Caplin paid the money without hesitation, together with expenses and costs, viz., £23, £5, and £13. Then what ground was there for saying it was a doubtful title? If Harris had only bought Caplin's right in the horse it would have been a different matter, but he bought the horse absolutely. He knew nothing of Dr. Harris, had never seen him, and had come to the conclusion at which he had arrived without solicitation; and although it might be insinuated that he belonged to the same party as Dr. Harris's brother-in-law, he could tell hon. members that he should let no consideration of that kind influence him. He need not take the more extreme view of this question, but he asserted that, although, technically, Dr. Harris did sit in his own case, yet substantially he did not. He confessed, however, that until he looked more closely into this matter, he felt disposed to concur according to the statements generally made—that Dr. Harris had adjudicated in a case where a valuable horse which he had purchased was concerned—and that he was interested to the value of the horse. The House had been told somewhat facetiously by the hon. and learned member who had moved these resolutions that the conduct of the Government, in merely reprimanding Dr. Harris, was a mode of proceeding in regard to an unpardonable novel in practice. No doubt it was novel in practice. But he could tell the hon. gentleman that there was another novelty in the practice as connected with magistrates in cases where an injustice was complained of, when a monstrous abuse of the power of a magistrate was suggested the Attorney-General of the day, in a manner which was very creditable to him, said that if the matter was brought formally under the notice of the Executive Government the thing would not be lost sight of. These were not the answers always received from the Executive. The honorable gentleman here narrated an instance where, in 1841, a magistrate summoned a lad of fourteen, for beating a pig—sat upon the bench, then went into the witness-box and gave evidence, and afterwards again took his seat on the bench and fined the lad 40s., or fourteen days' imprisonment, refused to take a cheque in payment of the fine from the guardian of the boy, and had the youth locked up, although the clergyman promised immediately to go to his house (a few yards off) and bring money to pay the fine by a legal tender. A remonstrance was made to the Government, and the answer received was that the letter had been referred to the police magistrate, and that the answer was satisfactory. He imagined the hon. member opposite would have been in some way referred to on that occasion. If he was, he supposed the hon. gentleman thought the answer returned was a proper answer, and if so he could scarcely understand why he saw such extraordinary objections to the case now before the House. But, in days gone by, many more

left the House. But, in days gone by, many more atrocious cases had occurred than the one to which he had referred. He did not believe, notwithstanding the violent denunciations against the unpaid magistrates, that they were so bad as had been represented. He believed that the country had great reason almost to adopt the language which Captain Martindale used in reference to another case, and congratulate themselves upon the changed state of things rather than complain that nothing more was done. He was afraid if individual cases were to be singled out, and visited with dismissal, the House had a wide field. They heard of magistrates performing what they called their duties. They attended to their own affairs generally, but when they had a friend or a tenant before the court they were remarkable for the punctuality of their attendance on the bench. Having performed those offices which they considered were rather due to their own friends than to the public, and having partaken of those refreshments at public-houses which their credit would not obtain for them if they were not magistrates, they went to their homes, and he had heard of some of them being helped into their houses by their servants. It was not his business to become public censor, but he heard of these things. If, then, they were to proceed upon individual cases, and not upon a general principle, they might abandon all the ordinary functions of legislators, and devote their attention exclusively to the regeneration of the magistracy. If cases such as he had mentioned were of everyday occurrence when the accused had none of that influence which long residence and the possession of great property would give his accusers. He did not mean to insinuate anything against the character of those gentlemen whom Dr. Harris had charged, but he thought the same fairness ought to be extended to Dr. Harris if it was not proved that he acted corruptly. If the hon. member for the North Riding intended to convey an impression that in his opinion Dr. Harris ought to be dismissed, why did he not say so in the resolutions. Did the honorable member wish to guard himself against the responsibility of a severity of this kind? Would he wish to refrain from expressing an opinion in which the public would not concur, so as to be able at any future time to take his choice, so that if he were accused of screening Dr. Harris he might say, "I meant that he should be dismissed," or if he were accused of too great severity to say, "Oh, I never suggested that he should be dismissed—I only desired that he should be reprimanded." He thought, in viewing this case, the hon. and learned member for Cook and Westmoreland had commented rather unfairly upon one or two expressions contained in the evidence of Dr. Harris, inferring from the reply "not to my knowledge," in reference to Mill's agency, that it was a form of expression used by every dishonest man—a *non mea recorda* answer. Mr. Broadribb, however, replied in reference to an important question, "I do not recollect." He thought the severity of these observations of the hon. and learned gentleman would be entirely got rid of by the consideration of the circumstance that precisely by the same sort of expression was adopted by Mr. Broadribb. He believed the people of Mudgee would be as satisfied to see justice administered to them by Dr. Harris as by any other gentleman on the Mudgee Bench. A man, free from family and other influences, was a great boon to the inhabitants of any district, and especially in that district where magistrates were appointed because they belonged to a particular set or family. He had no doubt Dr. Harris intended not to sit. He drew his chair back as far as circumstances would permit. Still there was the awkward circumstance that he signed the depositions and the award. Hon. members were aware that in certain cases a police magistrate had now a double power. Being a stranger in the district, Dr. Harris, perhaps, might have had a doubt whether Mr. Broadribb was a magistrate, and in the general way in which he wished this case to be tried, how could there be any remedy whatever for the cases of which he had complained? Hon. members were not called upon to ramble over the country to find out all these cases of injustice; all they could do was to deal with those which were brought before them, and he thought it was a most extraordinary charge to bring against hon. members, when a case like the present had been brought in a prominent way before the Executive, to accuse them of a spirit of partisanship because they asked the House to adjudicate upon it. When the hon. member talked of this being a trumpery case, he altogether begged the question. The mode in which the Government had treated the matter before them was the point they had to discuss. The hon. member had taken a particular view of this question; he had shown his talent in that low style of art—the burlesque; he had dwelt on what he was pleased to call the comic side of the case; and had seized on a part of the case which was hypothetical to a certain extent, and not supported on evidence of the most conclusive character, to damage all the rest of the case. And in dealing with what he had called the comic side of the case, he had overlooked altogether one of its worst features—that portion of Dr. Harris's conduct which related to his charge against his brother magistrates, which most hon. members would believe to be the most aggravated part of the case. He (Mr. Forster) quite admitted it was a painful duty to deal with the character of an absent gentleman; but at all events there was some comfort in the evident fact that the gentleman in question had had a fair trial, and had had a lenient judge, who had since appeared on the floor of the House as his advocate. (No, no.) That was, at all events, the impression that had been produced on his mind. As regarded the imputation against the Government and their supporters conveyed in the report and the resolutions before the House, he was astonished that the honorable member should find fault with these. He thought the word "imputation" not a fair one; there were charges made, and why were the resolutions framed but to convey the charges? There was no doubt that charges were brought against the Government, and those who supported the Government, and its improper conduct could not help accepting the same imputation. But the honorable member had chosen also to infer that a personal attack had been intended against a honorable member whose connection with Dr. Harris was tolerably well known. He (Mr. Forster) intended no imputation whatever against that gentleman, and fully sympathised with the position in which he was placed, because there was a difficulty in dissociating the hon. member from the connexion in this case. It was not very easy for hon. members, looking through all the circumstances, and exercising an unbiased judgment, to rid themselves of the impression that the conduct of the Government was, at all events, very suspicious, and had been very suspicious from the beginning. What had the conduct of the Government really been? The charges against Dr. Harris were certainly of an important character. The principal charge was that he had adjudicated in his own case. On that point the hon. member had undertaken to show that the hon. and learned mover of this resolution was entirely mistaken, but he had not fulfilled his pledge. With regard to the charge which he had dwelt on, with a peculiar affection as it were, and had endeavoured to prove, was the main charge against Dr. Harris—that of forgery—it was, so far from that, merely an incidental one; it was not, indeed, the ground of any distinct charge brought against Dr. Harris. He (Mr. Forster) believed that there were, at all events, grounds of suspicion, that the circumstances which were alluded to by the hon. member for Cook and Westmoreland conveyed suspicion against Dr. Harris, which had not yet been explained. With regard to the charge, that of the fitness of the gentleman in question to remain in the commission of the peace—the Government had manifested great reluctance to enter upon that enquiry. The hon. member for Cook and Westmoreland, who, whatever might be his political or personal rancour, had showed the legal ability he possessed by the clear statement he made of the case before the House the other night. He had

[The hon. member here went into some details of the evidence to show the weakness of the case set up by Harris.] Upon all these grounds he contended that Dr. Harris ought to have been removed from the Commission of the Peace. Then again, he found in the documents laid on the table that Mr. Justice Therry had propounded certain questions which he recommended should be put to Dr. Harris, but of which he could find no record. [Mr. HARGRAVE: The questions were put in my examination.] Well, the Government did at length send a gentleman to take steps in the matter, which was, perhaps, the only proper course they had taken during the whole affair. They had that gentleman's report, and upon the strength of that report they came to the conclusion that Dr. Harris ought to be reprimanded, though not removed from among those whom, by his own admission, he had falsely accused. This was a proper consummation to the whole conduct of the Government in the business; and they desired thereby to make up for their twelve months' neglect of seeing justice done in the case. It was said that Dr. Harris had not actively interfered in the trial of the case. Why, how could a man more actively interfere than by doing those things which would make him an adjudicator in his own case? To do this it was not necessary for two people to cross-examine witnesses. Then the Executive Council wished to give Dr. Harris the full benefit of his statement, that the matter of complaint was the result of inadvertence. What was this but holding out a reward in favour of erroneous statements such as this? They ought to have been more disposed to treat him with leniency if he had acknowledged his fault and expressed regret; but was that the kind of treatment he deserved when, even without troubling to justify his own conduct, he insulted the magistracy, by bringing against them groundless accusations? He (Mr. Hay) should be sorry for the best interests of this country, if the House did not stamp its sense of the way in which that most precious of all the attributes of a civilised country—the pure administration of justice—was, in this instance, brought into disgrace. He did not wish to see the Government go out of office upon the matter, but he would not, whatever were the consequences, shrink from expressing his own sense of the merits of such a question. It was quite necessary that all should do so, or Ministers might go on repeating the conduct they had exhibited in this case; and indeed they would be justified in treating the general magistracy in precisely the same way, for if no check were now administered it would be a virtual confirmation that they had acted rightly and properly, and that conduct, such as was complained of, was not calculated to injure the character of the administration of justice. He would not join in any movement having a party end in view, but he would always lend his assistance in coming to a right conclusion upon any question where there was such an important stake as was involved in this. He had some objections to the wording of the resolutions of the hon. member for the North Riding; and as he had understood that this matter was to be placed upon the best possible footing, he intended to propose certain amendments, in order that if possible no hon. member could have an excuse for not voting according to his conscientious convictions, and apart from all party feeling whatever. The amendment he moved was to omit the last words in the first resolution—"but highly censurable"—in order to insert in their place, "but opposed to the first principle of justice;" and, further, to amend the third resolution to the following effect:—"That the conduct of the Government in this case has been calculated to impair the dignity of the magistracy and the purity of the administration of justice."

Mr. FLOOD referred to the extract from a pamphlet, quoted by the hon. member for Murrumbidgee, which stated that the Lord Chancellor had sat in a case in which he appeared to have been interested; that he had granted relief to the Grand Junction Canal Company, in which he held shares, for which offence his decision had been reversed. The hon. member opposite and his hon. friend (Mr. Deniehy) might understand that he (Mr. Flood) was more at home in a quarry, a brickfield, or a timberyard, but, in order to show these gentlemen that they had not taken a full and impartial view of this matter, he would refer them to the report of the above and similar cases, reported in Dr. Bayley's Compilation of Summary Convictions; and he would also take the hon. and learned member for the North Riding to task as to his having sat in judgment in defiance of an Act of Council, in a most illegal manner, when he shut up a public Court and went into a private locked apartment to listen to the most slanderous accusations against a large portion of the community. Now, what he (Mr. Flood) had to complain of, in reference to the present matter, was that the hon. gentleman on the other side stated that this was not a party question. He would at once not only admit that the principles they laid down relative to the Lord Chancellor adjudicating in his own case were applicable to the most insignificant justice of the peace in New South Wales; but he thought he should be able to show that not only was a magistrate disqualified to sit in a matter in which he was interested, but also that a member of a select committee of that House was not justified in sitting as a member, and at the same time giving evidence, as had recently been the case. Innumerable instances might have been cited where justices of the peace had acted in error without having acted corruptly, and, therefore, their faults of judgment were excusable on that ground. But in the case alluded to the Lord Chancellor was not removed from his high position; and he asked hon. members opposite who supported the motion, whether it would be right to supersede Dr. Harris, or even to go further than the Government had done in reprimanding him. He (Mr. Flood) had reason to complain that, although hon. members who supported this motion had brought forward a great many cases to show the criminality, they had not brought forward any analogous cases to show how they had been disposed of in the mother country. He did not think that it tended to the improvement of responsible government when votes of censure became so frequent as they had been of late; and he was of opinion that such kinds of attack upon responsible Ministers ought not to be made unless on the most grave considerations, when if Ministers were shown to be deserving of the disapprobation of the House they ought not to hold office an hour longer. The Government considered Dr. Harris' conduct to be reprehensible, and in fact he had been reprimanded; but hon. gentlemen opposite did not think this was sufficient; they wanted the magistrate to be dismissed, and the Government censured—the only reason being that Dr. Harris had acted in ignorance, not corruptly. God forbid that the reins of Government should be placed in the hands of some hon. members, who professed to be liberal. If he should have the fortune or misfortune to be opposed to those hon. gentlemen when they were in power, he believed his position in regard to them would be much more moderate than it had been hitherto; for during the course of the present session he had been taught that a large amount of forbearance must be given to gentlemen in power. He could not think that hon. members opposite were imbued with this spirit of charity when they wished to punish Dr. Harris for the purpose of punishing the Government. That indeed was the object of the motion, and yet it was said this was not a party motion; but men were to be judged by their sayings and doings. If hon. members of the legal profession wished to be impartial in this matter, they would have adduced cases analogous to this which had been dealt with in the mother-country, and many such cases might have been cited. In conclusion, he quite agreed with what had fallen from some hon. members opposite, that the House ought zealously to watch the administration of justice, and do everything in their power to see that the law was carried out with all purity; but he maintained also that great forbearance and great consideration should be shown towards those gentlemen who performed the duties of magistrates towards those who had such onerous functions cast upon them. He again said the Government had done all that they could do in the matter. If, however, there was one matter of which he found fault it was with regard to the charges brought by Dr. Harris against his brother magistrates. Yet, though these were abandoned, it did not necessarily follow that they were groundless, nay, they might be substantially correct. He should not vote for the motion now under consideration, for he did think that, however reprehensible Dr. Harris' conduct might be, the course he pursued was an error of judgment.

Mr. WEEKES: There were one or two points in this case, and he admitted the case of Dr. Harris to be a most important one, which had not been referred to by previous speakers, and which he should like to lay before the House. The hon. member for Murrumbidgee (Mr. Hay) and most of the speakers had quoted learned authorities and spoken with much eloquence, to show the value of the great maxim, that no man shall sit as a judge in his own case. No one denied this maxima; no member of the House would think of setting it at nought; and no one in the House, moreover, defamed the conduct of Dr. Harris, in this matter. But as to the extent of Dr. Harris' wrong-doing, they were not all agreed. "—"

POLITICAL ECONOMY.

No. XIV.

In our last we showed you what Free Trade was compared with Protection, and we will now show you the effects of protection.

Suppose that England sends annually to Australia a value of five hundred thousand pounds in cotton manufactures; for what reason does Australia make this purchase instead of manufacturing the raw material herself? Because the manufacturers of England are so composed and organised as to enable the country to supply cotton cloth of better quality and at a lower price than could be produced for her by herself. Turn her back on England, and more favourable turned than is Australia for that industrial pursuit: were it not so, as much cotton cloth would be produced in this country as in England.

Now, suppose some colonial statesmen were to persuade you that it would be to your advantage to abstract this manufacture from the mother country, and were to prohibit the importation of cotton goods; by so doing it would certainly increase the cost of those hundred thousand pounds, which of that article coming into Australia, would induce the creation of cotton factories in and about Sydney; but could he thereby place Sydney in an equally favourable position with Manchester?—would cotton be manufactured as cheap in one place in the other? Hardly so. All that he could do would be to prevent cheap cottons being used in Australia. We should no longer be dependent on England for our cottons, but we should manufacture our own cottons, at a higher price, and of a worse quality, and we should consequently use less; thus there would be actually a smaller quantity of cotton manufactures required in the world, and the production of cotton would be diminished by so much.

Again, suppose the largest portion of the capital that comes into Australia is invested in pastoral pursuits, because, notwithstanding the risks attending such investments, the returns of it are proportionately higher. In consequence of the unnatural stimulus that would be given to manufacturing employing men, who would be necessary to man the mills, the State would be directed into other channels, the State would be compelled to turn its attention to pastoral pursuits. A smaller sum being invested in pastoral pursuits, the same quantity of wool would no longer be produced, and thus the effect of the prohibitory law would be, that there would be in the world less cotton and less wool, and the human family would be consequently less well clothed.

Some little time ago a pamphlet was published in England called "Monkeys as Political Economists." The illustrated frontispiece represented half-a-dozen monkeys in their cages having just received their daily allowance, but instead of eating it in peace, each one, with a superior amount of cunning, was stealing his right-hand neighbour's portion, intent upon what he did not see. And is it not true that in all States that adopt protective laws?—They neglect the advantages which have been given them, to appropriate labouriously those of their neighbours; thereby rendering production more difficult and less abundant, and transmogrifying the wellbeing and advancement of the human race. A statesman, who is a protectionist, gives us a picture of the reverse of a man of sense, who is given to the world some great invention; since the latter has employed his mental faculties in devising some scheme for diminishing the total of labour required by a nation, and thereby increasing its enjoyments; while the former has been concocting a plan for increasing the amount of labour required of the community and so diminishing the sum of its resources. Our is as much the herald of civilisation as the other is of barbarism, and this will become more evident when you examine the influence that prohibitory laws have upon industrial progress.

Every one of you knows that one of the principal ingredients of cheapness is the division of labour. Men who can make more and more, are more productive. It is the faculty of exchanging, says Adam Smith, "which gives rise to the division of labour, since the want to which the latter may be carried must be entirely dependent upon the greater or less number of clients; thus, in the distant mountains of the Highlands, we may find a man who can spin only one skein of thread; but if he were compelled to spin all the different qualities of cloth himself, he could not find a manufacturer to supply him with the required materials to commence his business.

At that time the state of the property being reduced to a state in which it would not realise a much larger sum than the securities had never crossed my mind; and certainly I have not been the author of the depression. I may add that I am ignorant to this day that a second "dead" was made out.

I am, Sir, your obedient servant,

HENRY PARKES.

Sydney, April 1, 1859.

P.S.—I have read this letter to Mr. Pennington, the solicitor who prepared the deed on behalf of Sir Daniel Cooper, and he confirms its accuracy in the preparation of the deed—it F.

THE CHRISTIAN PLEADER.—THIS DAY.—CONTINUED.

LEADING ARTICLES: The Portraits of War.—The State of the World in relation to the Gospel.—Prayer.

THE WHISKEY (explanations and corrections).

CORRESPONDENCE: Memoranda of a Ministerial Visit to the Manning River District, by the Rev. Dr. Lang.—Salvation Army.

REV. MR. AND MRS. LITTON.—NOTES: God's Voice from China to the English Church.

MR. J. JAMES.—Separation from the Church of England in this Colony, a Duty or a Sin, by the Right Rev. Dr. B. C. CONYBEARE.

RELIGIOUS NEWS.—The Christian Progress.

Colonial Seminary, Legislature, &c., summarised.

Miscellaneous, &c.

Single copies, 6d.; subscription per quarter, 3s., in advance.

W. H. BIZZACOTT, 205, George-street North.

INTERESTING SUBSCRIPTIONS TO THE CHRISTIAN PLEADER are respectfully reminded that the second quarter commences THIS DAY.

THE CHRISTIAN PLEADER.—Office of publication—George-street North, W. H. BIZZACOTT, publisher.

SUBMISSIONS.—(new series).—No. 1, containing SIX SERMONS.—Introduction of these: Ministry; the Son of Man; The Voice of the Blood of Christ; Lecture to Little Faith; Sympathy of two Worlds; Sovereign Grace and Man's Response. Price 6s. 6d. post free, 14d. ADDISON, agent, 67, Bridge-street.

CHAMBERS'S INFORMATION FOR THE PEOPLE.—New edition (1858), with very considerable improvements. 2 vols., half cloth, 25s. Glasgow Book Warehouse, corner of Bathurst and Elizabeth streets. R. MACKAY, importer.

CHAMBERS'S INFORMATION FOR THE PEOPLE.—Morton's Cyclopaedia of Agriculture, in 10 vols., upward of 1000 illustrations, 2 vols., cloth, £4 6s.

Webb's Farmer's Guide, 7th edition, post free, 4s. 6d.

How to Choose a good Milk Cow, with illustrations, post free.

The Agriculturist's Calculator, board, 10s. 6d. post free.

Easy on the Construction of Cottages, illustrated with working plans, post free, 7s. 6d.

Pratt's Practical Measure, post free, 7s. 6d.

Pratt's Farmer's Guide, with illustrations, 1s.

Glazier's Guide, 2s. 6d.

Black-tea, 2s. 6

SALES BY AUCTION.

27 Acres of Land at McGrath's Hill, Allot. Four, with Standing Crop. Horses. Drays. Farming Implements, &c.

JOHN W. LAVERACK has received instructions from the executors of the late Mr. J. Alcock, to sell by public auction on SATURDAY, the 9th April instant, at 11 o'clock, on the premises, McGrath's Hill, near Windsor.

The whole of that block of land, containing 27 acres, stands on the hill, and is situated at McGrath's Hill, one mile from Windsor.

To capitalists this is an opportunity which seldom occurs—the property being situated so near the town of Windsor as to ensure a ready sale and handsome profit if subdivided into building sites. A large sum having already been offered and refused for acquisition of the property.

After which, a lease of Alcock Farm, containing 75 acres, will also under cultivation, situate at McGrath's Hill, Windsor, with dwelling house, stables, granary, sheds, gardens, and, in fact, every requisite for a comfortable homestead.

This farm is so well known as to need no comment.

Also—

20 acres growing maize—a splendid crop

20 tons hay

10 acres of turnips

Ploughs, harrows, cows, pigs

And everything necessary for a large farming establishment.

Terms at sale.

Parramatta.

House and Ground for Sale.

M. JOHN TAYLOR has received instructions from Mr. John Hallinan, to sell by auction, on WEDNESDAY, 6th April, 1859, immediately after the sale of the drayman stock, at his drayery establishment, Church-street, Parramatta.

That house is situated in PITT'S RESIDENCE, in Pitts-street, near the junction to Parramatta Grange, built of brick, with a stone front, containing four rooms, with verandah, detached kitchen, and servant's room; yard, good well of water, excellent stables, and coach-house, and an extensive garden at the back—the whole occupying half an acre of ground.

Mr. J. T. has much pleasure in directing special attention to the sale of the above, to parties in search of a good investment or a genteel residence.

Terms at sale.

To Drapers, Storkeepers, Dealers, and Houses of Families.

Sale by Auction at Parramatta, on MONDAY, the 4th, TUESDAY, the 5th, and WEDNESDAY, the 6th April, 1859.

Commencing each day, at 11 o'clock precisely.

M. JOHN TAYLOR has received instructions from Mr. J. Hallinan, (in consequence of his removal from Parramatta), to sell by public auction, at his Drayery Establishment, Church-street, Parramatta, (late Mr. M'Niven and Co.'s), on the above days.

The whole of his extensive stock of—

Dray, &c., &c. Together with the whole of his Household furniture.

Shop fittings.

An excellent gir and harness.

Saddles, bridles, &c., &c.

The auctioneer has great pleasure in calling the special attention of his friends, and others, either as dealers in draymen's stock, or to this very important sale, the stock being too numerous to particularise. Intending purchasers can rely upon the reputation Mr. J. Hallinan's establishment has always had of having superior goods, and a great assortment.

The draymen of the district are especially invited to attend. Mr. J. Hallinan being about leaving the district, it will only advance his purpose to sell without reserve.

Terms—Under 25s, cash; above that sum, 3 months' credit on approved bills.

Parramatta.

The Brewery Freehold Property.

In the insolvent Estate of John Carney.

WEDNESDAY, 1st April, on the property.

M. J. F. STAFF will sell by auction, by order of Adam Wilson, Esq., official assignee.

That spacious and truly valuable property, situate in George-street West, and known as the "Brewery".

It is a fine, new, and substantial building, of 200 feet frontage, on the New Railway Station, and the Stock Exchange.

Persons desirous of commencing a brewery or distilling establishment will find this property one of the best in the colony. A moderate sum will place this compact premises in working order. The property at present consists of a large, well-constructed building, which might profitably be made an extensive timber-yard, or much called for in this neighbourhood for the supply of the town and surrounding districts, whose inhabitants at present are obliged to go to Sydney for their supplies.

Lot 2 consists of 200 feet of land, and a good verandahed cottage on a stone foundation, and let to a good tenant.

In the rear is the spacious brewery, with immense cellars, malt house, furnaces and vats; above stand the boilers, coolers, granaries, malting houses, and every convenience for a good supply. Frontage to George-street 55 feet by a depth of 240 feet more or less.

Lot 2 consists of most eligible building plots adjoining 111 feet frontage to George-street, 45 feet, depth 260 feet more or less.

Plans of the property may be seen on application to the auctioneer.

Title—A grant from the Crown.

And the same takes place at 12 o'clock.

Parramatta.

Positive Unreserved Sale of Town Freehold Properties, consisting of Houses and Lands, 15 Lots.

In the Estate of the late William Cox, Esq. In the Long-street of Mr. New's Royal Oak Hotel, Church-street North, on THURSDAY, 5th April.

M. J. F. STAFF has been favoured with instructions from the executors to sell by auction, without reserve.

The various well-selected properties, as bequeathed in Mr. Cox's will to his family. The greatest care appears to have been taken to select spots in the most elevated parts of the flourishing and healthy parish of Marsfield, in the town.

LOT 1—A piece of land, containing 18 perches, being a portion of No. 12 of section 31; bounded on the south by the Kissing Point Road, east by Weller's land, and east by Mr. Griffin's stone cottages.

LOT 2—A portion of a large, well-constructed brick cottage, with a well-constructed stable, coach-house, garden, and well of water. The property is bounded on the south by Mr. Griffin's stone cottages.

LOT 4 consists of a gentle brick cottage, on a stone foundation, with a well-constructed stable, coach-house, garden, and well of water. The property is bounded on the south by Mr. Griffin's stone cottages.

LOT 5—A piece of land, bounded on the south by the Kissing Point Road, and east by Weller's property. A granite stone wall runs along the south boundary.

LOT 6—A portion of a large, well-constructed brick cottage, with a well-constructed stable, coach-house, garden, and well of water. The property is bounded on the south by Mr. Griffin's stone cottages.

LOT 7—A piece of land, and in every respect similar, adjoins the above and is in the same ownership.

LOT 9 is described as a portion of No. 13, section 18, and bounded on the south by a road, 100 feet wide, having a frontage to George-street West, and opposite site.

LOT 10—A well built alcove, well fenced on three sides, and 10 feet 5 inches from the Kissing Point Road, west of 1 chain 32 links, for a depth of 205 links.

LOT 7 adjoins the above and is in every respect similar.

LOT 9 is described as a portion of No. 13, section 18, and bounded on the south by a road, 100 feet wide, having a frontage to George-street West, and opposite site.

LOT 10 adjoins the foregoing and contains 16 and one-third perches, is also a fine healthy spot of high land.

LOT 11—A piece of land, bounded on the south by Church-street North, at present occupied by Mr. H. Cox's, wheelwright, establishment, adjoining the Wesleyan Chapel, and the late Mr. Tun's property. Frontage of 50 feet to Church-street, and a depth of 100 feet more or less.

LOT 12 is an allotment of the Newlands estate, containing one acre 14 rods, one of the most elevated parts of that beautiful healthy estate. A large frontage to Church-street North, being allotment No. 1 of the Newlands estate, bounded on the south by Church-street, in the most improving part of the town.

LOT 14 is described as six parcels of land of the same estate, consisting of lots 33, 34, 35, 38, 39, 43, being in the whole 171 acres, more or less. This valuable land is situated in the district of the healthy villa residences in the district, being the highest land in the town, and but a short distance from its waterworks.

LOT 15—in the TOWN of WINDSOR—described as a piece of land, bounded on the south by Milson-street, in the business part of Windsor.

The auctioneer would remark, in conclusion, that the above properties present an opportunity seldom to be met with by the capitalist, the person of moderate means, and persons anxious to enlarge their property, sufficient to meet all their wants, and a future investment is necessary.

The sites are the best; and further particulars may be had from the auctioneer.

Terms, liberal, declared at sale.

Horses, from Mittagong.

At the Homebush Repository, on MONDAY next, the 4th April.

THOMAS DAWSON is instructed by Samuel Palmer, Esq., to sell by auction, at the Homebush Repository, on the above day, 10 head horses, broken to saddle and harness. These horses have just arrived from the country, and are a very useful lot.

MONDAY'S General Sale.

At Homebush Repository, on MONDAY next, the 4th April.

THOMAS DAWSON will sell, at the Homebush Repository, on the above day, at 11 o'clock.

40 head of mixed horses, consisting of light harness, journey, and town hacks.

An excellent stock of horses, and harness, nearly new.

Dray, carts, &c., &c.

Drays, carts, &c., &c.

SALES BY AUCTION.

ON MONDAY next, ASHFIELD PARK HOUSE AND GROUNDS, EDGECOMBE COTTAGE AND GROUNDS.—The residue of the unoccupied land, ASHFIELD PARK ESTATE, comprising 100 acres, situated on the Liverpool and Parramatta Roads, near the station.

The above valuable suburban properties must be POSITIVELY SOLD to the HIGHEST BIDDER ON MONDAY NEXT, at the Rooms, Bank Buildings, George-street.

Terms—one quarter cash, the balance may remain secured on the property for 5 years, at 7 per cent, per annum.

Plans may be inspected, and cards to view obtained at the Rooms of the undersigned.

R. P. RICHARDSON.

CHOICE CITY PROPERTY.

ON MONDAY NEXT, WITHOUT ANY RESERVE, by order of the trustees of the estate of the late William Hutchinson, Esq.,

PIERRE-LE-PONT, GEORGE-STREET,

The following valuable freehold in the CITY OF SYDNEY.

LOT 1.—All that extensive valuable block of land, having a frontage of 100 feet on PITT-STREET, with a depth of about 167 FEET, forming an angle with the buildings thereon, consisting of a handsome VERANDAH COTTAGE and WHARF, CIRCULAR QUAY—being those extensive premises now in the occupation of Messrs. LANE and CO., ship chandlers.

Title—Unquestionable. Full particulars of which can be ascertained on application to W. W. BILLYARD, Esq., Macquarie-street.

FOR POSITIVE AND UNRESERVED SALE. PRELIMINARY NOTICE. HUNTER AND BRIGHT STREET, CITY OF SYDNEY.

Magnificent corner block of City Freehold Property, at the junction of Hunter and High streets, consisting of that commodious Family Residence, No. 54, HUNTER-STREET, a large WHARF, and WHARF-BUILDINGS, and a NEW COTTAGE RESIDENCE in Pitt-street, the whole of which are now occupied by BUCHAN THOMPSON, Esq., on lease, having about 12 months to run, at the extremely low rent of £340 PER ANNUM.

R. P. RICHARDSON has received instructions to sell by public auction, at the Rooms, Bank-buildings, George-street, on FRIDAY, 29th April, at 11 o'clock, a block of land, containing 30 square yards, more or less, to GEORGE-STREET, and extending through to, and having 340 FEET, more or less, to NEW PITT-STREET, with a depth of about 167 FEET, together with the extensive ranges of rooms and brick buildings erected thereon, comprising as follows:—

Preliminary Notice.

THE BISHOPSGATE HOTEL ROSE COTTAGE.

SIX SMALL COTTAGES.

LARGE BLOCK OF LAND, with the remains of the premises of the Foresters Arms Inn, lately destroyed by fire.

The whole of which are situated at the junction of the Glebe Road with Francis-street.

R. P. RICHARDSON has received instructions to sell by public auction, at the Rooms, Bank-buildings, George-street, on an early date, due notice of which will be given.

The above valuable corner block of city freehold property.

* Full particulars in a future advertisement.

Preliminary Notice.

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The above valuable freehold, situated at the Glebe, known as the property of Mr. George Williams.

* Full particulars in a future advertisement.

BRIGHTON, MANLY BEACH.

Cottage, and an Allotment of Land, next to the Brighton Hotel, near the Wharf.

R. P. RICHARDSON has received instructions to sell by public auction, at the Rooms, Bank-buildings, George-street, on an early date, due notice of which will be given.

The property will therefore be positively sold on the above date.

Plan and further particulars at the Rooms.

R. P. RICHARDSON, Bank Buildings, George-street.

COOK'S RIVER, DANE, six miles from Sydney—Market Gardeners, and the Industries Classically generally, are reminded that the great sale of the

TEMPLE ESTATE.

Cook's River, DANE, will take place on FRIDAY, 8th April.

when 1 acre to 30 acres of the RICHEST LAND in NEW SOUTH WALES can be secured within easy distance of the metropolis, at a special rate.

Terms—one quarter cash, and a liberal credit.

Lithographs can be obtained from the undersigned, with which the lots can be selected without difficulty, as they are marked with pegs and all the roads defined.

R. P. RICHARDSON, Bank Buildings, George-street.

TEMPLE ESTATE.

Alberton, MELBOURNE, VICTORIA.

This splendid estate, comprising TEMPLE HOUSE AND GROUNDS, and a number of small farms, containing from 1 to 30 acres of the RICHEST ALLUVIAL SOIL in the colony will be sold, unreservedly, at the Rooms, Bank-buildings, George-street, on FRIDAY, 8th April.

Terms, liberal.

Lithographs and large plan at the Rooms.

APPIN, two miles from Sydney, about two miles from Appin, on the main road, and AN HALF ACRE ALLOTMENT, in the town of Appin, situated at the corner of Church-street, and the main road.

TITLE—Unquestionable. The deeds may be inspected at the Rooms.

R. P. RICHARDSON has received instructions to sell by public auction, at the Rooms, Bank-buildings, George-street, on MONDAY, 4th April, at 11 o'clock.

The following properties situate in the town and suburbs of APPIN.

APPIN, a beautiful lawn in front of the house, and a carriage-drive, with lodge, from the main road.

LOT 1.—All that piece of land, containing about thirty acres, on the east, and a line south 13 chains, and a north 13 chains, and a west 13 chains, and a north by a line west 25 chains; on the west by a line north 13 chains; and on the north by Donnelly, and the land numbered 6 in Appin, and granted to William Kenny, 31st MARCH, 1821.

* Full particulars of the land situate between Appin and Brookton Pass, one mile from the town. The mail road passes through the farm.

LOT 2.—All that allotment of land in the TOWN OF APPIN, being lot 1 of section 3, containing half an acre, situate on the south side of the main road, the main road, being the land sold to Edmund Phillips, as lot 70, in pursuance of an advertisement of 9th September, 1854.

Plan and full particulars at the Rooms.

FIRST-RATE CITY INVESTMENT.

LOT 1.—PIERRE-LE-PONT, STREETS.

Two substantially-built houses with large verandas, Nos. 7 and 9, Liverpool-street, a few feet from its junction with the south-east corner of Sussex-street.

A valuable Building Site at the corner of Liverpool and Sussex-street.

A Cottage in Sussex-street, at the rear of the above.

TITLE—Unquestionable. Full particulars can be ascertained on application to W. W. BILLYARD, Esq., Macquarie-street.

FOR POSITIVE SALE.

By order of the Mortgagor.

R. P. RICHARDSON has received instructions to sell by public auction, at the Rooms, Bank-buildings, George-street, on MONDAY, 18th April, at 11 o'clock.

The following properties situate in the town and suburbs of APPIN.

APPIN, containing about 30 acres, about two miles from Appin, on the main road, and AN HALF ACRE ALLOTMENT, in the town of Appin, situated at the corner of Church-street, and the main road.

TITLE—Unquestionable. The deeds may be inspected at the Rooms.

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Plan and full particulars at the Rooms.

CITY PROPERTY.

WITHOUT THE SLATE RESERVE.

By order of the Executor of the Estate of the late Mr. Patrick Conlon.

LOT 1.—A weatherboard cottage, lined out with iron, containing 2 good rooms, a kitchen, and a large back room, with a depth of about 167 FEET, forming an angle with the buildings thereon, occupied by Mr. Turner, veterinary surgeon, residing at the Ashfield Railway Station.

TERMS—One-quarter cash; the residue may remain secured on the property, for five years, at 7 per cent, per annum.

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Plan and full particulars at the Rooms.

PEARL BAY, COOGEE.

MAGNIFICENT SITE, containing 5 Acres and 28 Perches, on the Nelson Bay Road, adjoining the residence and grounds of C. Simmons, Esq.

TITLE—Grant from the Crown to the present Vendor.

Positive Sale.

R. P. RICHARDSON has received instructions to sell by public auction, at the Rooms, Bank-buildings, George-street, on MONDAY, 18th April, at 11 o'clock.

The above described valuable city property, in GLOUCESTER-STREET, a little beyond St. Patrick's Church.

Plan on view at the Rooms.

NELSON BAY, COOGEE.

FOR POSITIVE SALE.

By order of the Mortgagor.

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Plan and full particulars at the Rooms.

Plan on view at the Rooms.

THE SYDNEY MORNING HERALD, SATURDAY, APRIL 2, 1859.

SALES BY AUCTION.

ON MONDAY next, ASHFIELD PARK HOUSE AND GROUNDS, EDGECOMBE COTTAGE AND GROUNDS.—The residue of the unoccupied land, ASHFIELD PARK ESTATE, comprising 100 acres, situated on the Liverpool and Parramatta Roads, near the station.

The above valuable suburban properties must be POSITIVELY SOLD to the HIGHEST BIDDER ON MONDAY NEXT, at the Rooms, Bank Buildings, George-street.

Terms—One quarter cash, the balance may remain secured on the property for 5 years, at 7 per cent, per annum.

Plans may be inspected, and cards to view obtained at the Rooms of the undersigned.

R. P. RICHARDSON.

CHOICE CITY PROPERTY.

ON MONDAY NEXT, WITHOUT ANY RESERVE, by order of the trustees of the estate of the late William Hutchinson, Esq.,

PIERRE-LE-PONT, GEORGE-STREET,

The following valuable freehold in the CITY OF SYDNEY.

LOT 1

